

VZCZCXRO1006  
OO RUEHBC RUEHDBU RUEHDE RUEHKUK RUEHLH RUEHPW RUEHROV  
DE RUEHRH #9031/01 3431447  
ZNY CCCCC ZZH  
O 091447Z DEC 06  
FM AMEMBASSY RIYADH  
TO RUEHC/SECSTATE WASHDC IMMEDIATE 3674  
INFO RUCNISL/ISLAMIC COLLECTIVE PRIORITY  
RUEHJI/AMCONSUL JEDDAH PRIORITY 8046

C O N F I D E N T I A L SECTION 01 OF 03 RIYADH 009031

SIPDIS

SIPDIS

DEPT PLEASE PASS TO NEA/ARP FOR BSHUKAN/SWALKER, DRL FOR  
SOZKAN/JLIEBERMAN

E.O. 12958: DECL: 12/08/2016  
TAGS: [PHUM](#) [KPAO](#) [PINR](#) [KISL](#) [SA](#)  
SUBJECT: COLORADO ATTORNEY GENERAL MEETS WITH SAG REGARDING  
AL-TURKI CASE

REF: A. RIYADH 8725  
[1](#)B. RIYADH 7097

Classified By: Ambassador James C. Oberwetter for reasons 1.4 (b) and (d).

[1](#)1. (C) SUMMARY: At Post's invitation, Colorado Attorney General (AG) John Suthers visited the Kingdom from November 14-17 to explain the Homaidan Al-Turki case to King Abdullah bin Abdul Aziz Al Saud, Saudi government officials, and the Al-Turki family. The very successful visit highlighted the immense differences between the laws of Colorado and Saudi Arabia, but clarified for the Saudis why Al-Turki was sentenced to 28 years in prison for sexual assault. Everyone except Al-Turki's family, which still insists that he was the victim of anti-Muslim bias, expressed deep gratitude for the AG traveling to Saudi Arabia to discuss the case. END SUMMARY.

[1](#)2. (C) At Post's invitation, Colorado Attorney General (AG) John Suthers visited the Kingdom from November 14-17 to explain the Homaidan Al-Turki case to King Abdullah bin Abdul Aziz Al Saud, Saudi government officials, and the Al-Turki family. The exchanges in all the meetings were similar. AG Suthers said that the King and Minister of Justice Dr. Abdullah bin Muhammad bin Ibrahim Al Al-Sheik were the two most informed and engaged Saudis he met. Suthers also met with HRH Crown Prince Sultan, Minister of State for Foreign Affairs HE Ambassador Dr. Nizar Obaid Madani, Minister of the Interior Prince Naif, and Chief of the Supreme Judicial Council Sheik Salah al-Luhaidan (the Sharia law supremo). Suthers also met with Al-Turki's brother (and chief spokesman), Dr. Ahmad Al-Turki (a Canadian-trained dermatologist), cousin -- attorney Fahad Al-Nassar -- Zaid Al-Hussain of the Human Rights Commission and Hamed Al-Malek of the National Society for Human Rights. The AG also explained the case to nine senior Saudi lawyers, government officials, and human rights activists in a meeting at the Ambassador's residence. The AG was accompanied by Jonathan Anderson, the Chief Counsel to Colorado Governor Bill Owen.

[1](#)3. (C) Ambassador, DCM, Chief Counsel Jonathan Anderson, and PAO accompanied AG Suthers to the 45-minute meeting with the King at the Royal Diwan. The King opened, "I hope you will look at this affair from the bottom of your conscience." Suthers explained as background that he had "spent a lot of time with this case," meeting with the prosecutor and reading the testimony from the trial. He also explained that Al-Turki had four "very good attorneys" who "are the best in Colorado." Suthers noted that Al-Turki chose not to testify, even after the judge counseled that this was his right. (Note: Under Saudi Arabia's Sharia law, defense testimony is a vital part of a case. End Note.) The King replied, "It could have had to do with the fact that he was

confident that the facts were compelling. But he should have testified."

14. (C) Suthers continued that "the testimony of the Indonesian maid was very compelling." Important corroborating testimony came from two women who also stated under oath that Al-Turki had attempted to sexually assault them. One was a former bookkeeper from Al-Turki's bookstore business in Colorado and the other was an Arab-American woman he met online in an Arabic chatroom. The King asked whether it was sexual assault, which Suthers confirmed. Suthers also explained that sexual assault carries a mandatory sentence in Colorado of 20 years to life and the judge had no choice in his sentencing. The judge did give Al-Turki a break by allowing his sentences from 12 guilty counts to run concurrently. Suthers also explained the lesser charges of not paying the Indonesian maid and holding her prisoner in his house.

15. (C) The King explained that "from the perspective of the people of Saudi Arabia, they see Al-Turki as an honest man of faith, a married man, a Muslim man." The charges were "hard to believe given his religion and family." (Note: Al-Turki comes from a prominent religious family and his father was one of the imams at the Mosque of the Prophet Mohammed in Medina, which is considered one of the two holiest mosques in Islam. End Note.) The King felt that the charges were "not proven beyond a shadow of doubt." Suthers explained the jury system and how jurors "have to be competent and find guilt beyond a reasonable doubt." The King commented, "the decision will always be on their (the jurors) conscience and with God Almighty." He continued, "we have no doubt about the fairness of the American legal system or the competence of its judges and other officials. But we doubt the

RIYADH 00009031 002 OF 003

credibility of the witnesses...because his family is known for its piety...and he is a married man with children and is known as a mature man."

16. (C) The AG replied that Al-Turki had done very well in the U.S. He lived there for 14 years, owned a business, had his children in local schools, and was very involved in the local Islamic religious community. However, the AG noted that Al-Turki's wife and children returned to Saudi Arabia often, but he did not, and this was when he would commit his acts. When his family would leave, his wife put the Indonesian maid with friends. Al-Turki would go to these friends and bring the maid back when no one was there, which was corroborated by witnesses.

17. (C) After the King was told that the maid worked for the Al-Turki family for four and a half years, he asked, "And it took that long for her to come forward?" Suthers replied that it was a Saudi friend of Al-Turki who first contacted the immigration authorities to say that the maid had not been paid and that she lived on the floor of the basement. The friend also said that two years earlier, the maid had told him that Al-Turki was doing "naughty things" to her. Suthers also noted that a medical examination showed that the maid had lost her virginity, which she claimed was the result of Al-Turki's sexual assault.

18. (C) At the end of this exchange, the King stated once again, "I again emphasize our doubts about the evidence. There has to be proof beyond doubt. This 'he said, she said' would not be proof here. But I respect the American legal system."

19. (C) Discussing next steps, the AG explained that Al-Turki's sentencing is on automatic appeal in the Colorado Appellate Court. It will be another three to four months before a decision is made. If the sentence stands, his only other chance would be for the Governor to pardon him, but that is highly unlikely. (Note: Suthers said later that he would tell incoming Colorado Governor that he might hear from

the Saudi Embassy in a few months. End Note.) Suthers also told the King that Al-Turki could be paroled in as soon as ten years, "depending on attitude and behavior."

¶10. (C) The King advised the AG that in his meeting with the Al-Turki family, he might not be shown respect because it is "their strong conviction that their family member was wronged." The King explained that they are "driven by emotion." (Note: After the meeting, as we were getting into vehicles at the Palace entrance, the King's adviser, Adel Jubair, ran out to ask whether we would agree to move the meeting with the family and human rights lawyers to the Conference Palace Hotel, which is controlled by the Palace. We agreed. Jubair attended the meeting, and the family was respectful to the Attorney General. End Note.)

¶11. (C) The King closed by saying, "I hope this case will not come between our two countries. But as the Ambassador can tell you, the case is seen as unfair." The King also referred to an "undercurrent" of concern among Saudi students who are studying in the U.S. He closed, "We will pray to God to lead us to the truth."

¶12. (C) The other meetings with Saudi officials were very similar in nature. In a short meeting, the Crown Prince urged the AG to "look at this case with a humanitarian eye" and stated that, "We hope the U.S. will always be sincere in its friendship with us, and that is what we have seen today." The Minister of Justice was especially interested in details of court procedure. The Minister was impressed when the AG said that in a similar case, an American received an almost identical sentence in a Colorado court. The Minister underscored "in Sharia law, confession is the main mechanism," which he noted did not happen in the Al-Turki case. He also found it odd that Al-Turki did not testify.

¶13. (C) The Minister of Interior implied that a deal should be worked out to get Al-Turki back to Saudi Arabia, noting that, "This person has not done anything to harm America...perhaps we could relook at the case and do something." The AG explained the appeals process, noting that he would give the Governor of Colorado a thorough briefing about his visit to Saudi Arabia. The Minister of State at the MFA, who earlier served at the Saudi embassy in Washington, said that he had never heard of such a long sentence in such a case, to which the AG explained mandatory sentencing in Colorado for sexual assault. Suthers also dispelled any rumors about FBI involvement at the trial,

RIYADH 00009031 003 OF 003

pointing out that local prosecutors "did not -- and would not -- know" about any FBI case, saying that the prosecutors could rely only on evidence provided by the local police.

¶14. (C) The meeting with the family members and the human rights leaders focused on the family's demand for a new trial. They accused Federal and Colorado State officials of preventing a fair trial. One of the human rights leaders -- a vocal critic of the U.S. in this case -- praised Suthers for coming. Finally, we were surprised that the Chief of the Supreme Judicial Council said he did not know much about the case -- "he heard about it in the media" -- and did not want to delve into it.

¶15. (C) COMMENT: All of the AG,s Saudi interlocutors made it clear that they appreciated his willingness to come all the way to the Kingdom to discuss this case. He was able to discuss clearly and authoritatively key elements of the case, often citing his own "bona fides" as a prosecutor. We believe that the visit successfully countered Saudi claims of American mistreatment and arrogance, and expect the volume of anti-American publicity on this case to lessen.  
OBERWETTER